

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before June 5, 2008.

ADDRESSES: You may send comments identified by Docket Number FAA-2008-0219 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

Docket: To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Annette K. Kovite, (425) 227-1262, Transport Airplane Directorate, Federal

Aviation Administration, 1601 Lind Avenue, SW., Renton, WA 98057-3356, or Frances Shaver, (202) 267-9681, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on May 12, 2008.

Pamela Hamilton-Powell,
Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA-2008-0219.
Petitioner: The Boeing Company.
Section of 14 CFR Affected: § 26.11(g).
Description of Relief Sought: Boeing requests an exemption from the requirements to develop and make available to affected persons Electrical Wiring Interconnection System (EWIS) instructions for continued airworthiness for their Boeing Models 707 and 720 on the basis that these airplanes are not subject to an operational rule requiring an update of their maintenance programs. Boeing states that these airplanes are not currently operated commercially in the United States nor are they expected to operate in the United States in the future.

[FR Doc. E8-11011 Filed 5-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2008-23]

Petitions for Exemption; Summary of Petitions Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received.

SUMMARY: This notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before June 5, 2008.

ADDRESSES: You may send comments identified by Docket Number FAA-2008-0081 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

FOR FURTHER INFORMATION CONTACT: Tyneka Thomas (202) 267-7626 or Frances Shaver (202) 267-9681, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on May 12, 2008.

Pamela Hamilton-Powell,
Director, Office of Rulemaking.

Petitions for Exemption

Docket No.: FAA-2008-0081.
Petitioner: NorthStar Trekking, LLC.
Section of 14 CFR Affected: 14 CFR 136.9(a) and 136.11(c)(2).

Description of Relief Sought: To allow NorthStar to conduct commercial air tour flights from Juneau, Alaska to the glaciers of the Juneau Icefield in NorthStar's helicopters with life preservers that are readily available for their intended use and easily accessible

to each occupant rather than the occupants wearing a life preserver and to not have helicopter floats.

[FR Doc. E8-11010 Filed 5-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Vehicle Theft Prevention Standard; smart USA Distributor LLC

AGENCY: National Highway Traffic Safety Administration (NHTSA)
Department of Transportation (DOT).

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the petition of smart USA Distributor LLC (smart USA) in accordance with § 543.9(c)(2) of 49 CFR Part 543, *Exemption from the Theft Prevention Standard*, for the smart fortwo vehicle line beginning with model year (MY) 2009. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard. smart USA is an authorized importer of smart brand vehicles manufactured by Daimler AG. smart USA requested confidential treatment for the information and attachments submitted in support of its petition. The agency will address smart USA's request for confidential treatment by separate letter.

DATES: The exemption granted by this notice is effective beginning with model year (MY) 2009.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Mazyck, International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Avenue, SE., Washington, DC 20590. Ms. Mazyck's telephone number is (202) 366-0846. Her fax number is (202) 493-2990.

SUPPLEMENTARY INFORMATION: In a petition dated January 22, 2008, smart USA requested an exemption from the parts-marking requirements of the Theft Prevention Standard (49 CFR Part 541) for the smart USA fortwo vehicle line beginning with MY 2009. The petition requested an exemption from parts-marking pursuant to 49 CFR Part 543, *Exemption from Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for an entire vehicle line.

Under § 543.5(a), a manufacturer may petition NHTSA to grant an exemption for one of its vehicle lines per year. smart USA's submission is considered a complete petition as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

smart USA's petition provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the fortwo vehicle line. Although smart USA has requested confidential treatment of specific details of the system's operation, design, effectiveness and durability, NHTSA is, for the purposes of this petition, disclosing the following general information. smart USA will install its passive antitheft device as standard equipment on the vehicle line beginning with MY 2009. The antitheft device to be installed on the MY 2009 fortwo is equipped with an access code protected locking system and a transponder-based electronic immobilizer system. Features of the antitheft device will include an immobilizer consisting of an operational controller (SAM), transponder ignition keys and an engine control transponder reader unit as standard equipment. smart USA states that the vehicle key, SAM, engine control unit, fuel injection system and starter must all independently verify the presence of a code unique only to that vehicle. The smart USA fortwo will be installed with a malfunction warning symbol indicator on the instrument cluster. Additionally, the fortwo vehicle line will have an optional alarm system which will monitor all the doors and tailgate of the vehicle. The audible and visual alarms are activated when an unauthorized person attempts to enter or move the vehicle by unauthorized means.

smart USA stated that the immobilizer device prevents the engine from running unless a valid key is put into the ignition. Turning the valid key in the ignition is required to activate or deactivate the immobilizer. smart USA further stated that the immobilizer is armed immediately after the ignition is turned off regardless of whether the doors are opened or are locked.

There is currently no available theft rate data for the fortwo vehicle line as it is a new vehicle line beginning with MY 2008. smart USA provided Mercedes-Benz C-Line Chassis vehicle line as an example of a vehicle line subject to the parts-marking requirements (49 CFR part 541) that are equipped with ignition immobilizer systems as standard equipment. smart USA reported that NHTSA's theft rate

for the C-Line Chassis vehicle for model years prior to 1998 (1994 through 1997) when an immobilizer was not installed as standard equipment resulted in an average theft rate of 1.6437. smart USA reported that, since the introduction of immobilizer systems as standard equipment on the C-Line Chassis vehicles, the average theft rate for MY's 1998 through 2004 is 1.4167, which is below the 1990/1991 median theft rate of 3.5826. smart USA stated that it believes the data indicate that the immobilizer system was effective in contributing to a reduction in theft rates for the C-Line Chassis at an average of 13.8 percent.

On the basis of this comparison, smart USA stated that the immobilizer in the fortwo vehicle line is functionally equivalent to the systems used in the Mercedes-Benz S-Line, E-Line and C-Line Chassis vehicles beginning with MY 2006, 2007 and 2008, respectively. smart USA has concluded that the proposed antitheft device is no less effective than those devices installed on lines for which NHTSA has already granted full exemption from the parts-marking requirements.

In addressing the specific content requirements of 543.6, smart USA provided information on the reliability and durability of its proposed device. Daimler AG has conducted tests based on its own specified standards for reliability and durability. smart USA provided a detailed list of the tests conducted, and believes that the device is reliable and durable since the device complied with its specified requirements for each test. Additionally, smart USA stated that it has obtained test approval according to regulatory requirements that are based on the testing parameters of the International Standards Organization regulations.

Based on the confidential material submitted by smart USA, the agency believes that the antitheft device for the fortwo vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard (49 CFR part 541). Based on the information smart USA provided about the device, the agency concludes that the device will provide four of the five types of performance listed in § 543.6(a)(3): Promoting activation; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

As required by 49 U.S.C. 33106 and 49 CFR part 543.6(a)(4) and (5), the agency finds that smart USA has